

JAN 10 2007

U.S. Serial No. 09/492,725

PATENT
Attorney Docket No.: PD-980142REMARKS

The applicants have carefully considered the official action dated September 12, 2006, and the references it cites. Claims 18-34 and 41-67 are pending and at issue in this application, of which claims 18, 24, 41, 48, and 56 are independent. In the official action, claims 24 and 41-47 were rejected under 35 U.S.C. § 102 as anticipated by Gerace; claims 18, 24, 41, and 56 were rejected under 35 U.S.C. § 102 as anticipated by Van Hoff, et al.; and claims 18-34 and 41-67 were rejected under 35 U.S.C. § 102 as anticipated by Hite et al. By way of this response, the applicants have amended claims 18-26, 28, 31, 32, 41, 43, 45, 48-51, 56-62, and 67. In view of the following remarks, the applicants respectfully traverse the rejections and submit that claims 18-34 and 41-67 are in condition for allowance.

As an initial matter, the applicants would like to thank Examiner Janvier for his time on December 12, 2006, to grant an interview. During the interview, the applicants' representatives and Examiner Janvier discussed the patentability of claim 18 in view of the applied art.

Turning to the art rejections, the applicants respectfully submit that independent claim 18 is allowable over the art of record. Claim 18 is directed to a system that includes, *inter alia*, a receiver having stored therein a local condition indicative of a processing capability or a location of the receiver and software adapted to be executed by a processor of the receiver to receive a plurality of advertising objects and image objects linked to the advertising objects from a data stream transmitted by a transmitting site that transmits the same advertising objects and image objects to the receiver and a plurality of other receivers without selectively transmitting particular ones of the objects to particular ones of the receivers, wherein each advertising object includes a data element indicative of at least a required receiver sophistication level or a receiver location. Claim 18 also recites that the software is executed by the processor to store the received plurality of advertising objects and image objects in a

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memory of the receiver and to select a first group of advertising objects from the received advertising objects and image objects based on the local condition indicative of the processing capability or the location of the receiver. None of the art of record teaches or suggests a receiver having stored therein a local condition indicative of a processing capability or a location of the receiver and software adapted to be executed by a processor of the receiver to receive a plurality of advertising objects and image objects linked to the advertising objects from a data stream transmitted by a transmitting site that transmits the same advertising objects and image objects to the receiver and a plurality of other receivers without selectively transmitting particular ones of the objects to particular ones of the receivers, wherein each advertising object includes a data element indicative of at least a required receiver sophistication level or a receiver location; to store the received plurality of advertising objects and image objects in a memory of the receiver; and to select a first group of advertising objects from the received advertising objects and image objects based on the local condition indicative of the processing capability or the location of the receiver. Accordingly, the applicants respectfully submit that independent claim 18 and all claims dependent thereon are in condition for allowance.

The applicants respectfully submit that independent claim 24 is also in condition for allowance for at least the reasons discussed above in connection with claim 18. Accordingly, the applicants respectfully submit that independent claim 24 and all claims dependent thereon are in condition for allowance.

The applicants respectfully submit that independent claim 41, is allowable over the art of record. Independent claim 41 is directed to a system and recites, *inter alia*, software adapted to be executed by a processor to generate a plurality of advertisement objects, each of which includes a data element indicative of a required receiver sophistication level or a location and transmit the advertisement objects and the image objects via a transmission data

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stream to a plurality of receivers without selectively transmitting particular ones of the objects to particular ones of the receivers, wherein each of the receivers is configured to store therein a respective local condition indicative of a processing capability or a location of the receiver. None of the art of record teaches or suggests software adapted to be executed by a processor to generate a plurality of advertisement objects, each of which includes a data element indicative of a required receiver sophistication level or a location of the receiver and transmit the advertisement objects and the image objects via a transmission data stream to a plurality of receivers without selectively transmitting particular ones of the objects to particular ones of the receivers, wherein each of the receivers is configured to store therein a respective local condition indicative of a processing capability or a location of the receiver. Accordingly, the applicants respectfully submit that independent claim 41 and claims 42-47 dependent thereon are in condition for allowance.

The applicants respectfully submit that independent claim 48 is also allowable over the art of record. Independent claim 48 is directed to a receiver unit configured to, *inter alia*, store therein a local condition indicative of a processing capability or a location of the receiver, receive advertising objects and linked image objects from a media broadcast transmission station that transmits the advertising objects and image objects to the receiver and a plurality of other receivers without selectively transmitting particular ones of the objects to particular ones of the receivers, wherein each advertising object includes a data element indicative of a required receiver sophistication level or a receiver location, store the received advertising objects and linked image objects, select a first group of advertising objects from the received advertising objects and image objects based on the local condition and the data elements associated with the first group of advertising objects and linked image objects. None of the art of record teaches or suggests a receiver unit configured to store therein a local condition indicative of a processing capability or a location of the receiver,

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receive advertising objects and linked image objects from a media broadcast transmission station that transmits the advertising objects and image objects to a plurality of other receivers without selectively transmitting particular ones of the objects to particular ones of the receivers, wherein each advertising object includes a data element indicative of a required receiver sophistication level or a location of the receiver, store the received advertising objects and linked image objects, select a first group of advertising objects from the received advertising objects and image objects based on the local condition and the data elements associated with the first group of advertising objects and linked image objects. Accordingly, the applicants respectfully submit that independent claim 48 and claims 49-55 dependent thereon are in condition for allowance.

The applicants respectfully submit that independent claim 56 is also allowable over the art of record. Independent claim 56 is directed to a method and recites, *inter alia*, transmitting advertising objects and image objects linked to the advertising objects via a media broadcast transmission station to a plurality of receiver stations without selectively transmitting particular ones of the objects to particular ones of the receiver stations, wherein each of the receiver stations is configured to store therein a respective local condition indicative of a processing capability or a location of the receiver station; receiving the advertising objects and image objects at one of the receivers; storing the advertising objects and image objects at the receiver station; determining via the receiver station if at least one of the received advertising objects and its linked image objects are compatible with the receiver station based on the data element associated with the at least one of the received advertising objects and the linked image objects and the local condition of the receiver station. None of the art of record teaches or suggests transmitting advertising objects and image objects linked to the advertising objects via a media broadcast transmission station to a plurality of receiver stations without selectively transmitting particular ones of the objects to particular ones of the

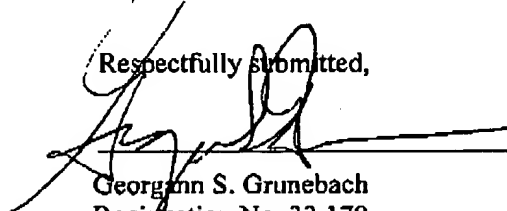
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receiver stations, wherein each of the receiver stations is configured to store therein a respective local condition indicative of a processing capability or a location of the receiver station; receiving the advertising objects and image objects at one of the receivers; storing the advertising objects and image objects at the receiver station; determining via the receiver station if at least one of the received advertising objects and its linked image objects are compatible with the receiver station based on the data element associated with the at least one of the received advertising objects and the linked image objects and the local condition of the receiver station. Accordingly, the applicants respectfully submit that independent claim 56 and claims 57-67 dependent thereon are in condition for allowance.

In view of the foregoing, the applicants respectfully submit that this application is in condition for allowance. If there are any remaining matters that the examiner would like to discuss, the examiner is invited to contact the undersigned representative at the telephone number set forth below.

Respectfully submitted,


Georgann S. Grunebach
Registration No. 33,179
Attorney for Applicants

Dated: January 10, 2007
The DIRECTV Group, Inc.
CA/LA1 / A109
P.O. Box 956
2230 E. Imperial Highway
El Segundo, CA 90245
310-964-4615